

Order

Entered: October 5, 2004

Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

ADM File No. 2004-15

Amendment of
Rule 6.429 of the
Michigan Court Rules

By order dated June 29, 2004, this Court adopted the amendment of Rule 6.429 of the Michigan Court Rules with immediate effect. Notice and an opportunity for comment at the September 15, 2004, public hearing having been provided, and consideration having been given, the amendment of Rule 6.429 is retained.

WEAVER, J. (*dissenting*). I would not continue the June 29, 2004, amendment of MCR 6.429(C). For the reasons set forth in my dissent in *People v Kimble*, 470 Mich 305, 315 (2004), I would hold that MCL 769.34(10) requires that defendants preserve alleged errors in scoring of offense variables and, therefore, would interpret both the statute, MCL 769.34(10), and the amended court rule, MCR 6.429(C), to similarly require that defendants preserve such errors.

YOUNG, J., concurs with WEAVER, J.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 5, 2004 Corbin R. Davis
Clerk